

BILL ANALYSIS

C.S.H.B. 3877
By: Pitts
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Certain land within the extraterritorial jurisdiction of the City of Ferris will be developed into a master planned community, and interested parties assert that road services need to be developed through a municipal utility district. C.S.H.B. 3877 seeks to address this issue.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3877 amends the Special District Local Laws Code to establish provisions relating to the Ellis County Municipal Utility District No. 1 and requires the district to comply with all applicable requirements of any resolution adopted by the governing body of a municipality that consented to the creation of the district or to the inclusion of land in the district. The bill grants the district the power to undertake certain road projects and provides for municipal annexation and a strategic partnership agreement. The bill authorizes the district, subject to certain requirements, to issue obligations for road projects and impose property taxes. The bill authorizes the division of the district into two or more districts under certain circumstances and sets out provisions relating to the division of the district. The bill establishes that any new district created by division of the district is subject to voter approval at a confirmation election and municipal consent.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3877 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8467 to read as follows:
CHAPTER 8467. ELLIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 1
SUBCHAPTER A. GENERAL
PROVISIONS

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8467 to read as follows:
CHAPTER 8467. ELLIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 1
SUBCHAPTER A. GENERAL
PROVISIONS

Sec. 8467.001. DEFINITIONS.

Sec. 8467.002. NATURE OF DISTRICT.

Sec. 8467.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

Sec. 8467.004. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, Chapters 49 and 54, Water Code, apply to the district.

Sec. 8467.005. ANNEXATION BY MUNICIPALITY.

Sec. 8467.006. LIMITED-PURPOSE ANNEXATION BY A MUNICIPALITY.

SUBCHAPTER B. POWERS AND DUTIES

(See Sec. 8467.004 above.)

Sec. 8467.051. DIVISION OF DISTRICT.

Sec. 8467.052. AUTHORITY FOR ROAD PROJECTS.

Sec. 8467.053. ROAD STANDARDS AND REQUIREMENTS.

Sec. 8467.054. COMPLIANCE WITH MUNICIPAL CONSENT RESOLUTIONS.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8467.101. TAX TO REPAY BONDS FOR ROAD PROJECTS.

SUBCHAPTER D. BONDS

Sec. 8467.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS.

Sec. 8467.001. DEFINITIONS.

Sec. 8467.002. NATURE OF DISTRICT.

Sec. 8467.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

(See Sec. 8467.051 below.)

Sec. 8467.004. ANNEXATION BY MUNICIPALITY.

Sec. 8467.005. LIMITED-PURPOSE ANNEXATION BY A MUNICIPALITY.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8467.051. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8467.052. DIVISION OF DISTRICT.

Sec. 8467.053. AUTHORITY FOR ROAD PROJECTS.

Sec. 8467.054. ROAD STANDARDS AND REQUIREMENTS.

Sec. 8467.055. COMPLIANCE WITH MUNICIPAL CONSENT RESOLUTIONS.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8467.101. TAX TO REPAY BONDS FOR ROAD PROJECTS.

SUBCHAPTER D. BONDS

Sec. 8467.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS.

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.